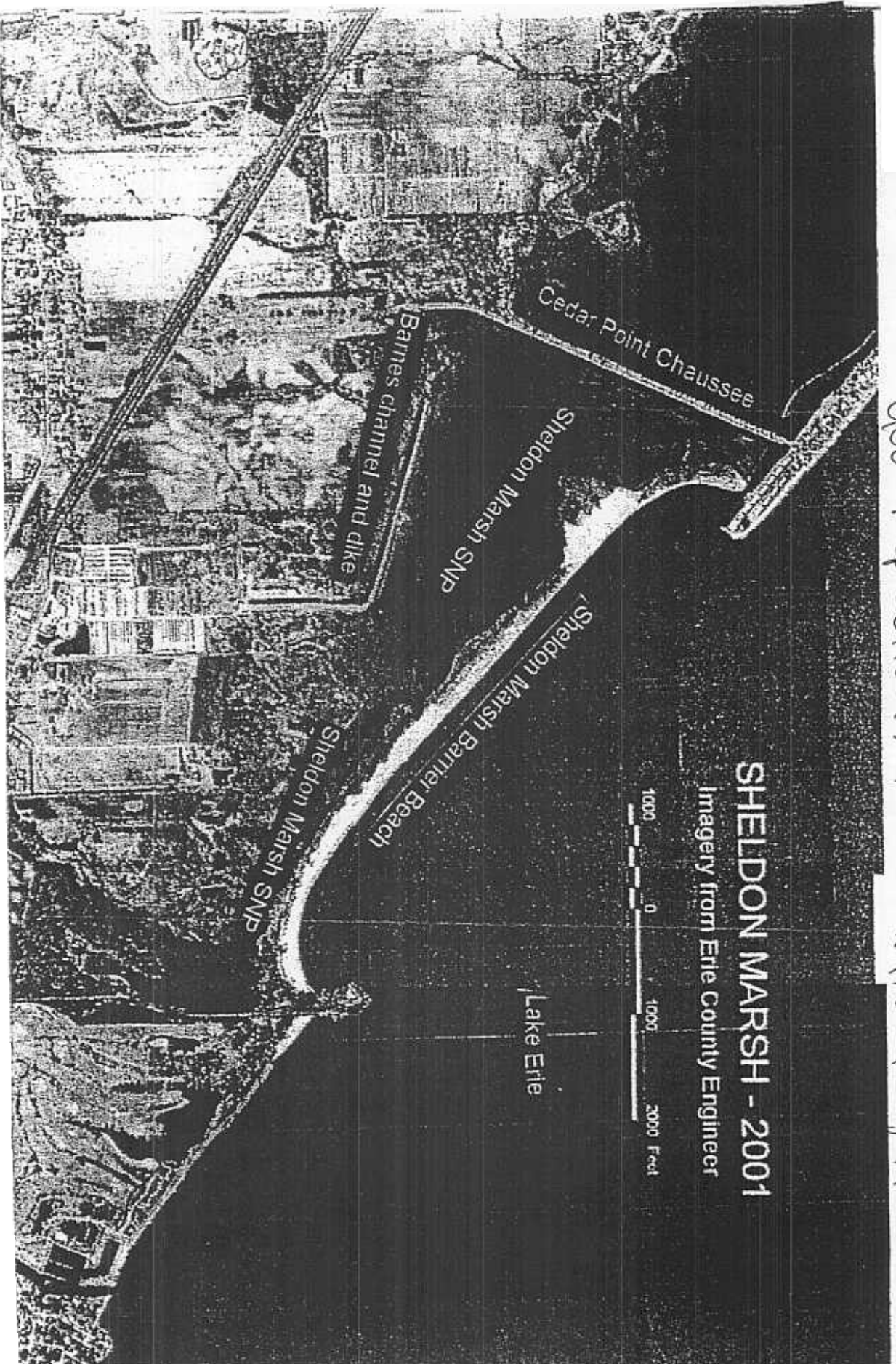


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11/14/02

* Do your job. Surprise me - I don't expect
you Republicans to do anything right, us a us The



on 11/14/02

DE Clark
Huron, Ohio

- The Ohio Attorney General who represents the ODNR in this denial appeal, states the Army Corps cannot issue a provisional permit when a State objection is pending.
- The use of this provisional ACE permit by Barnes to justify their project is unfounded, and the appeal to NOAA should be dismissed thus nullifying the after-the-fact Army Corps 404 permit to keep the already constructed illegal project.
- The physical fact of the dike and channel in place in a top quality wetlands, speaks for itself (see picture over). This bad project in the wrong place cannot be justified, rationalized, negotiated or authorized. It is inconsistent with our management plans, State and Federal.
- Restoration to the original condition of Sheldon Marsh wetlands complex is the only option to bring this area into consistency with Ohio's coastal management plan.

When writing NOAA, if you have an area of personal expertise or interest, please feel free to use it, e.g., a dragonfly enthusiast may find disturbance of the aquatic habitat harmful to the larva and reduce future populations. Plant experts may find the dike area encourages invasive species. Fisheries experts may object to the change in natural hydrology of the restricting dike, which affects spawning and fish numbers and thus the sport fishing industry. Birders have recently observed hunters on the dike with decoys in the Sheldon Marsh State Nature Preserve waters. This activity disrupts bird sightings, encroaches on endangered species habitat, and disturbs protected bird migration flyways.

Please **note again** your own reasons that this dike and channel in a top rated category III wetland **is not a benefit to the national interest.** The many letters to the Army Corps and the Ohio EPA have been outstanding. Resend your letters to NOAA addressing comments to the failure of the project to further the national interest.

Thanks to all of you who have written letters in the past, and who have made comments at the public hearings. With this public interest so strong, the issues are not being forgotten or glossed over, although it has taken an uncommonly long time to resolve the issue. We have attracted national attention to the misuse and abuse of the Army Corps permitting procedures, and have held accountable the state and federal agencies whose mission it is to enforce and regulate the laws given to them by our legislators. Although all permitting state and federal agencies have recommended denial of this project permit, the appeals and procedures are eating away at the wetland as the dike and channel remain in place. Our lawyer, Peter Precario, is representing the interests of Firelands Audubon in our effort to conserve natural areas, and your participation is vital to our end result, **the restoration of Sheldon Marsh to its original, pre-construction condition.**

If you have not already become a member of Friends of Sheldon Marsh or donated to our efforts, we always welcome you. Send donations to: Firelands Audubon, PO Box 967, Sandusky OH, 44870-0967. Check our website at: www.sheldonsmarsh.org and thank you,

Pat Krebs and Pat Dwight, co chairs, FOSM

Pat Krebs *Pat Dwight*